

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### COVID-19 FRAUD PREVENTION ACT

Mr. CLEAVER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2959) to establish the Consumer and Investor Fraud Working Group to help protect consumers and investors from fraud during the COVID-19 pandemic, to assist consumers and investors affected by such fraud, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2959

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “COVID-19 Fraud Prevention Act”.

#### SEC. 2. CONSUMER AND INVESTOR FRAUD WORKING GROUP.

(a) **ESTABLISHMENT.**—Not later than the end of the 30-day period beginning on the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection and the Securities and Exchange Commission shall, jointly, establish a working group to be known as the “Consumer and Investor Fraud Working Group” (the “Working Group”).

(b) **DUTIES.**—The Working Group shall facilitate collaboration between the Bureau of Consumer Financial Protection and the Securities and Exchange Commission on—

(1) providing resources to consumers and investors to avoid fraud during the COVID-19 pandemic;

(2) providing resources, including information on the availability of legal aid resources, to consumers and investors who have been adversely impacted by such fraud; and

(3) such other topics as the Working Group determines appropriate.

(c) **COORDINATION WITH OTHER AGENCIES.**—In carrying out the duties described under subsection (b), the Working Group shall coordinate and collaborate with other Federal and State government agencies, as appropriate.

(d) **QUARTERLY REPORT.**—The Working Group shall issue a quarterly report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the progress of the Working Group and summarizing—

(1) the resources made publicly available to consumers by the Working Group;

(2) any public enforcement action taken jointly or individually by any member of the Working Group;

(3) the number and description of consumer complaints received by the Bureau of Consumer Financial Protection and the Securities and Exchange Commission regarding fraud related to the COVID-19 pandemic; and

(4) any other actions of the Working Group.

(e) **SUNSET.**—This section shall cease to have any force or effect on and after December 31, 2022.

#### SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory

Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLEAVER) and the gentleman from Arkansas (Mr. HILL) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. CLEAVER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLEAVER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank Representative AXNE for her leadership on H.R. 2959, the COVID-19 Fraud Prevention Act.

This bill would create a joint Consumer Financial Protection Bureau and the Securities and Exchange Commission fraud working group to better protect consumers and investors against fraudulent schemes during and after the COVID-19 pandemic.

In the wake of the pandemic outbreak in the United States last year, millions of American families lost work and struggled to keep food on the table, pay their bills, and a roof over their heads. As early as April 2020, the Bureau of Labor Statistics reported that more than 20 million workers had lost their jobs.

As consumers across the country struggled with their finances and to stay protected against infection, predatory scammers and unscrupulous actors have profited from consumers’ concerns and anxiety.

Scams targeting consumers’ economic stimulus payments and unemployment benefits have delayed or prevented consumers from receiving the resources that they desperately need.

At the Subcommittee on Consumer Protection and Financial Institutions hearing held in March entitled “Slipping Through the Cracks: Policy Options to Help America’s Consumers During the Pandemic,” Carla Sanchez-Adams, managing attorney with the Texas RioGrande Legal Aid, shared the story of a client she called Ms. Y, who lost her job because of the pandemic, fell ill from COVID-19, and became a victim of fraud.

Ms. Sánchez-Adams said: “Ms. Y qualified for unemployment benefits through the Texas Workforce Commission. Ms. Y does not have a bank account, so her only option to receive her unemployment benefits was to have the funds deposited on a prepaid card

...” The Texas Workforce Commission “disbursed \$6,000 in unemployment benefits through the” card. “Soon after receiving her card, Ms. Y got COVID-19 and had to be hospitalized. When she was released, she tried to access the funds ... and discovered there was” not one single penny left. “When she called ... to inquire about the problem, she was told that someone had called, requested a new card be issued to an address in Michigan, and that someone in Michigan had used all the funds.”

Ms. Y is, unfortunately, not alone in experiencing this kind of shameless profiteering during a national crisis. Representative AXNE’s bill would help ensure that consumers who have been impacted by fraud can report it and have access to legal resources to combat it. It would also provide coordination between the CFPB and the SEC to combat these fraudulent schemes.

Mr. Speaker, for these reasons, I urge my colleagues to support this bill, and I reserve the balance of my time.

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Mr. HILL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank the gentleman from Iowa for reintroducing this bill. There is no doubt that fraudsters and other bad actors have been out taking advantage of consumers during the pandemic because they are out taking advantage of consumers every day anyway. Moreover, many of them are disproportionately targeting seniors.

The Federal Trade Commission, looking over the pandemic, has some 436,000 reports of fraud amounting to some almost \$400 million. The Securities and Exchange Commission has stopped 49 companies from trading, suspended for concerns over misleading information. The Consumer Financial Protection Bureau, the CFPB, has gotten almost half a million complaints.

So this effort among the regulators that Mrs. AXNE is proposing in H.R. 2959 establishes the Consumer and Investor Fraud Working Group. This working group includes representatives from the CFPB, the SEC, and is established to help coordinate and share information across the Federal Government.

The working group will focus on providing resources to consumers and investors and help them avoid falling victim to the fraudulent schemes and scams that have occurred during the COVID-19 pandemic and after.

In addition, the working group will produce a quarterly report to the House Financial Services Committee and the Senate Banking Committee. This will allow Congress to monitor its actions and resources as it is made public.

I urge my colleagues to support this bill. I reserve the balance of my time.

Mr. CLEAVER. Madam Speaker, I have no further speakers and am prepared to close. I reserve the balance of my time until Mr. HILL yields back.

Mr. HILL. Madam Speaker, I thank my friend from Missouri for his leadership today on these House Financial Services Committee bills. I appreciate the hard work on a bipartisan basis on these measures. I have no additional speakers on the Republican side. I urge a "yes" vote.

Madam Speaker, I yield back the balance of my time.

Mr. CLEAVER. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, the COVID-19 Fraud Prevention Act led by Representative AXNE would provide essential resources and support for consumers and investors to protect them against fraudulent schemes that have been rampant during this tragic pandemic.

The House passed this unanimously by voice vote in September of 2020. I urge my colleagues on both sides of the aisle to join me again in supporting this legislation.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. CHU). The question is on the motion offered by the gentleman from Missouri (Mr. CLEAVER) that the House suspend the rules and pass the bill, H.R. 2959, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## COVID-19 HATE CRIMES ACT

Mr. NADLER. Madam Speaker, I move to suspend the rules and pass the bill (S. 937) to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 937

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "COVID-19 Hate Crimes Act".

### SEC. 2. FINDINGS.

Congress finds the following:

(1) Following the spread of COVID-19 in 2020, there has been a dramatic increase in hate crimes and violence against Asian-Americans and Pacific Islanders.

(2) According to a recent report, there were nearly 3,800 reported cases of anti-Asian discrimination and incidents related to COVID-19 between March 19, 2020, and February 28, 2021, in all 50 States and the District of Columbia.

(3) During this time frame, race has been cited as the primary reason for discrimination, making up over 90 percent of incidents, and the United States condemns and denounces any and all anti-Asian and Pacific Islander sentiment in any form.

(4) Roughly 36 percent of these incidents took place at a business and more than 2,000,000 Asian-American businesses have contributed to the diverse fabric of American life.

(5) More than 1,900,000 Asian-American and Pacific Islander older adults, particularly

those older adults who are recent immigrants or have limited English proficiency, may face even greater challenges in dealing with the COVID-19 pandemic, including discrimination, economic insecurity, and language isolation.

(6) In the midst of this alarming surge in anti-Asian hate crimes and incidents, a shooter murdered the following 8 people in the Atlanta, Georgia region, 7 of whom were women and 6 of whom were women of Asian descent:

- (A) Xiaojie Tan.
- (B) Daoyou Feng.
- (C) Delaina Ashley Yaun González.
- (D) Paul Andre Michels.
- (E) Soon Chung Park.
- (F) Hyun Jung Grant.
- (G) Suncha Kim.
- (H) Yong Ae Yue.

(7) The people of the United States will always remember the victims of these shootings and stand in solidarity with those affected by this senseless tragedy and incidents of hate that have affected the Asian and Pacific Islander communities.

### SEC. 3. REVIEW OF HATE CRIMES.

(a) IN GENERAL.—Not later than 7 days after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose responsibility during the applicable period shall be to facilitate the expedited review of hate crimes (as described in section 249 of title 18, United States Code) and reports of any such crime to Federal, State, local, or Tribal law enforcement agencies.

(b) APPLICABLE PERIOD DEFINED.—In this section, the term "applicable period" means the period beginning on the date on which the officer or employee is designated under subsection (a), and ending on the date that is 1 year after the date on which the emergency period described in subparagraph (B) of section 1135(g)(1) of the Social Security Act (42 U.S.C. 1320b-5(g)(1)) ends, except that the Attorney General may extend such period as appropriate.

### SEC. 4. GUIDANCE.

(a) GUIDANCE FOR LAW ENFORCEMENT AGENCIES.—The Attorney General shall issue guidance for State, local, and Tribal law enforcement agencies, pursuant to this Act and other applicable law, on how to—

(1) establish online reporting of hate crimes or incidents, and to have online reporting that is equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General;

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code; and

(3) expand public education campaigns aimed at raising awareness of hate crimes and reaching victims, that are equally effective for people with disabilities as for people without disabilities.

(b) GUIDANCE RELATING TO COVID-19 PANDEMIC.—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID-19 Health Equity Task Force and community-based organizations, shall issue guidance aimed at raising awareness of hate crimes during the COVID-19 pandemic.

### SEC. 5. JABARA-HEYER NO HATE ACT.

(a) SHORT TITLE.—This section may be cited as the "Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021" or the "Jabara-Heyer NO HATE Act".

(b) FINDINGS.—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) DEFINITIONS.—In this section:

(1) HATE CRIME.—The term "hate crime" means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) PRIORITY AGENCY.—The term "priority agency" means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) STATE.—The term "State" has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) UNIFORM CRIME REPORTS.—The term "Uniform Crime Reports" means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) UNIT OF LOCAL GOVERNMENT.—The term "unit of local government" has the meaning given the term in section 901 of title I of the